

large amount, for all which he took notes from Thomas Clagett, which several notes became due and payable at different times between the 20th of May and the first of September, in the year

although there be other defendants who have not answered. *Heck v. Vollmer*, 29 Md. 507.

Where the purpose of an injunction was to prevent any disposition of a market stall, which would embarrass the passage of a final decree under which the complainant's rights could be secured, an objection to the final decree that it did not dissolve the injunction, is untenable. The writ served its whole office by being obeyed till the final decree, and no order of dissolution was necessary to the validity of that decree, which disposed of the whole matter in controversy by granting the relief prayed for. *Musgrave v. Staylor*, 36 Md. 123.

XXII. VIOLATION OF INJUNCTIONS. See Rev. Code, Art. 65, secs. 74-76. As to how an attachment for violation of an injunction may be obtained, see *Murdock's Case*, 2 Bland, 486. In *Binney's Case*, *Ibid*, 100, an attachment was issued for disobedience to an injunction. Nothing can be deemed a breach of an injunction forbidding the disturbance of a peculiar right of way which does not interfere with its peculiar exercise. *Bosley v. Canal*, 3 Bland, 63. Generally a motion to dissolve is decided before an attachment for breach is disposed of. *Binney's Case*, 2 Bland, 100.

An injunction was granted restraining the defendant J. from giving and the defendant A. from receiving a preference from J. over his other creditors. Proceedings subsequently instituted by A. in another Court whereby he obtains such preference are violations of the injunction, and Chancery may treat the same as a nullity. *Winn v. Albert*, 2 Md. Ch. 42.

XXIII. APPEALS. Under Rev. Code, Art. 71, secs. 41, 43, 45, an appeal lies: 1. From any order granting an injunction. 2. From any order refusing to grant an injunction according to the prayer of the bill. 3. From any order dissolving an injunction. 4. From a refusal to dissolve the same.

On appeal from an order granting an interlocutory injunction, the allegations of the bill alone are considered, irrespective of the answer. If the defendant desires the benefit of his answer, he should, on filing it, move to dissolve, and then, on appeal from the order disposing of that motion, the answer would be before the Court of Appeals for consideration. *Dittman v. Repp*, 50 Md. 516; *Hankey v. Abrahams*, 28 Md. 588; *Guerand v. Dandeleit*, 32 Md. 561; *Roman v. Strauss*, 10 Md. 89; *Hyde v. Ellery*, 18 Md. 497; *Shannon v. Wright*, 60 Md. 520. This rule, however, presupposes that the order appealed from was made by a Court of competent jurisdiction. Any objection to the injunction based upon want of authority in the Court must be examined on appeal. *Blackburn v. Crauford*, 22 Md. 447. Under Rev. Code, Art. 71, sec. 41, a demurrer to the whole bill may be taken as an answer for the purpose of an appeal. *Balt. v. Weatherby*, 52 Md. 442. Any defendant who has answered may appeal from the order granting an injunction, or refusing to dissolve the same, without waiting for the answer of his co-defendant. *Ibid*, 447; *Barnes v. Dodge*, 7 Gill, 109. As to a case where defendant withdrew his demurrer and filed an answer without leave of the Court, and then appealed from an order granting an injunction, see *Gilbert v. Arnold*, 30 Md. 29.

Under Rev. Code, Art. 71, sec. 43, the effect of an appeal from an order granting an injunction is to stay its operation in cases where an appeal bond